IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 5595 of 1990

For Approval and Signature:

Hon'ble MR.JUSTICE RAVI R.TRIPATHI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

MAHENDRA A ZALA

Versus

N T C (GUJ) LTD

Appearance:

Dr. MUKUL SINHA for Petitioners No. 1-2

Shri BR GUPTA for Respondents No. 1-2

CORAM : MR.JUSTICE RAVI R.TRIPATHI

Date of decision: 27/09/2001

ORAL JUDGEMENT

The present petition is filed by one Shri Mahendra A. Zala for the relief to the effect that the orders at Annexure (Colly) to the petition both dated 31.7.1990, suspending the petitioner be declared to be beyond the powers of the respondents, arbitrary, unreasonable, vitiated by mala fides and are in

contravention of Articles 14 and 16 of the Constitution of India.

2. Today, when the matter was called out, Shri B.R. Gupta, learned advocate submitted that though said suspension order was stayed by this Court by an order dated 10.8.1990, during the pendency of this petition the petitioner has availed of the benefit of Voluntary Retirement Scheme and has already gone out of service of the National Textile Corporation Limited. The respondents herein had passed an order dated 16.7.1998, which is produced and taken on record. In the aforesaid order it is stated that all his legal dues will be paid to the petitioner. Accordingly, an amount of Rs.3,15,850/-, is already paid to the petitioner. A xerox copy of stamped receipt of the said payment is produced and taken on record.

3. In view of the aforesaid developments, during the pendency of the petition, nothing survivies. The petition stands disposed of. Rule is discharged with no order as to costs. Interim relief is vcated.

(Ravi R. Tripathi, J.)

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